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10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 SAN FRANCISCO DIVISION
13

14 UNITED STATES OF AMERICA,)	Case No. 19-0711 CRB
)	
15 Plaintiff,)	[PROPOSED] PROTECTIVE ORDER
)	
16 v.)	
)	
17 CINTHIA MIRAMONTES RODRIGUEZ,)	
a/k/a "Cynthia Rodriguez,")	
18 a/k/a "Cynthia Rodriguez Navarro," and)	
)	
19 BRAYAN JOSIAS LOPEZ TORRES)	
)	
20 Defendants.)	

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23 With the agreement of the parties, the Court enters the following Protective Order:

24 The defendants are charged with controlled-substances offenses. Upon receipt of discovery
25 requests, the United States will produce to defense counsel documents and other materials pertaining to
26 the defendants and the charged offenses.

27 The United States will produce the same discovery to defense counsel in the following related
28

~~[PROPOSED]~~ PROTECTIVE ORDER
19-0711 CRB

1 cases: *United States v. Jose Arteaga-Vasquez and Roman Arteaga-Vasquez*, No Cr 19-0287 CRB,
2 *United States v. Isa Cruz, et al*, No Cr 19-0343 CRB, *United States v. Eduardo Alfonso Viera-Chirinos*,
3 *et al*, No Cr 19-0367 CRB, and *United States v. Andy Reanos Moreno, et al*, No Cr 19-0381 CRB,
4 (collectively, the “Related Cases”).

5 The discovery to be provided includes documents or other materials falling into the following
6 categories (collectively, “Protected Information”):

7 1. Sealed court orders authorizing the interception of wire and electronic communications
8 over telephones, and associated documents, as set forth in Attachment A, that contain Personal
9 Identifying Information (“PII”) of the defendants and third parties (including without limitation any
10 person’s date of birth, social security number, residence or business address, telephone numbers, email
11 addresses, driver’s license number, professional license number, family members’ names, or criminal
12 histories), as well as information regarding potential targets of investigation;

13 2. Other court filings, including warrants for premises, vehicle trackers, and cell phone
14 location data, and associated documents, as set forth in Attachment B, that contain PII of defendants and
15 third parties; and

16 3. Audio and video recordings involving confidential sources and undercover officers.

17 To ensure that Protected Information is not subject to unauthorized disclosure or misuse,

18 **IT IS HEREBY ORDERED** that, notwithstanding any sealing order, the government may
19 produce the documents in Attachments A and B relating to this investigation as necessary to comply
20 with its discovery obligations.

21 **IT IS FURTHER ORDERED** that the documents listed in Attachment A, as well as audio and
22 video recordings involving confidential sources and undercover officers, shall be produced to defense
23 counsel of record, their investigators, assistants, employees, and any experts retained to assist with
24 preparation of the defense in the captioned case, so long as they have reviewed and agreed to be bound
25 by this Order (collectively, “the defense team”). The defense team may review the documents and
26 recordings with the defendant, but shall not provide the defendant with copies of, or permit the
27 defendant to make copies of, or have unsupervised access to these documents and recordings.

28 **IT IS FURTHER ORDERED** that the documents listed in Attachment B shall be produced to

1 the defendant in addition to the defense team. However, these documents shall not be disseminated or
2 disclosed to anyone other than the defendant and the defense team, except upon the express
3 authorization of this Court.

4 All materials containing Protected Information shall be stamped on their face “PROTECTED
5 INFORMATION – SUBJECT TO PROTECTIVE ORDER.”

6 The government and defense counsel are ordered to work together to ensure that these materials
7 are protected, but that each defendant has as much access to the materials as can be provided consistent
8 with this Court’s order.

9 The defendants and all members of each defense team who receive discovery under this Order
10 shall be provided a copy of this Order along with those materials and shall initial and date the order
11 reflecting their agreement to be bound by it.

12 The materials provided pursuant to this protective order may only be used for the specific
13 purpose of preparing or presenting a defense in this matter, unless specifically authorized by the Court.

14 This Order shall also apply to any copies made of any materials covered by this Order.

15 **IT IS FURTHER ORDERED** that neither a defendant nor any member of the defense team
16 shall provide any discovery material containing Protected Information to any third party (*i.e.*, any person
17 who is not a member of the defense team in this case or in the Related Cases) or make any public
18 disclosure of the same, other than in a court filing, without the government’s express written permission
19 or further order of this Court.

20 If a party files a pleading that contains or attaches Protected Information subject to this Order,
21 the Protected Information must be redacted from the public filing and filed under seal. The defense
22 team shall comply with Criminal Local Rule 56-1 to ensure that Protected Information is not improperly
23 disclosed.

24 **IT IS FURTHER ORDERED** that defense counsel shall return materials subject to this
25 Protective Order (including any copies) to the United States, or destroy such materials and certify to the
26 United States that they have been destroyed, within 14 days after whichever event occurs last in time:
27 dismissal of all charges against the defendant; defendant’s acquittal; defendant’s sentencing; or the
28 conclusion of any direct appeal. Should the defense team seek to retain copies of any materials subject

1 to this protective order, the defense team may, within the time limits set out in the preceding sentence,
2 request that the government provide copies of such materials with all Protected Information
3 appropriately redacted. Government counsel shall provide such redacted copies within a reasonable
4 time after the defense team's request.

5 The United States shall maintain materials subject to this Protective Order until the period for
6 filing a motion under 28 U.S.C. § 2255 has expired. After the statutory period for filing a motion under
7 28 U.S.C. § 2255 has expired, the United States is free to destroy documents and materials subject to
8 this Order. If defendant is represented by counsel and files a motion pursuant to 28 U.S.C. § 2255, the
9 United States will provide counsel with the documents and materials subject to this Protective Order
10 under the terms of this Order. Defendant's attorney in any motion under 28 U.S.C. § 2255 shall return
11 the documents and materials subject to this Protective Order within 14 days after the district court's
12 ruling on the motion or 14 days after the conclusion of any direct appeal of the district court's order
13 denying the motion, whichever is later.

14 This stipulation is without prejudice to either party applying to the Court to modify the terms of
15 any protective order. This Court shall retain jurisdiction to modify this Order upon motion of either
16 party even after the conclusion of district court proceedings in this case.

17 **IT IS SO STIPULATED.**

DAVID L. ANDERSON
United States Attorney

19 Dated: April 2, 2020

20 /s/_____
SAILAJA M. PAIDIPATY
21 RYAN REZAEI
22 Assistant United States Attorneys

23 Dated: April 2, 2020


24 /s/_____
SHAWN HALBERT
25 Counsel for Defendant Cinthia Miramontes
26 Rodriguez
27
28

1 Dated: April 2, 2020

2 /s/
3 RUBEN MUÑOZ
4 Counsel for Defendant Brayan Josias Lopez
5 Torres

6 **IT IS SO ORDERED.**

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8 Dated: April 3, 2020

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CHARLES R. BREYER
Senior United States District Judge

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ATTACHMENT A

WIRETAP APPLICATIONS/ AFFIDAVITS/ ORDERS

Docket Number	Warrant/Order Date	Description
18-91068	10/22/2018	Target Telephone 1
19-91068	1/14/2019	Target Telephones 2-4
19-90197	3/1/2019	Target Telephone 5
19-90449	5/23/2019	Target Telephones 3, 6-11
19-90497	6/4/2019	Target Telephones 10, 12
19-90617	7/16/2019	Target Telephones 12-16
19-90657	7/26/2019	Target Telephones 17-18

1 **ATTACHMENT B**

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3 **PEN REGISTER APPLICATIONS/ORDERS**

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Docket Number	Warrant/Order Date	Description
18-70038	1/17/2018	1 telephone
18-90416	4/27/2018	1 telephone
18-90889	8/29/2018	1 telephone
18-91088	10/29/2018	1 telephone
19-90042	1/17/2019	2 telephones
19-90063	1/24/2019	1 telephone
19-90135	2/8/2019	1 telephone
19-90238	3/14/2019	1 telephone
19-90239	3/14/2019	1 telephone
19-90240	3/14/2019	1 telephone
19-90262	3/22/2019	1 telephone
19-90259	3/21/2019	1 telephone
19-90258	3/21/2019	1 telephone
19-90260	3/21/2019	1 telephone
19-90287	3/29/2019	1 telephone
19-90345	4/17/2019	1 telephone
19-90346	4/17/2019	1 telephone
19-09376	5/2/2019	2 telephones
19-90406	5/13/2019	1 telephone
19-90407	5/13/2019	1 telephone
19-90408	5/13/2019	1 telephone
19-90417	5/15/2019	1 telephone
19-90462	5/24/2019	1 telephone
19-90539	6/19/2019	1 telephone
19-90540	6/19/2019	1 telephone

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21 **LOCATION DATA FOR CELLULAR TELEPHONES WARRANT APPLICATIONS/ORDERS**

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Docket Number	Warrant/Order Date	Description
17-71623	12/5/2017	1 telephone
18-70038	1/17/2018	1 telephone
18-70209	2/22/2018	1 telephone
18-70610	4/27/2018	1 telephone
18-70767	6/4/2018	1 telephone
18-71211	8/31/2018	1 telephone
18-91068	10/22/2018	1 telephone
18-71539	10/29/2018	1 telephone

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1	18-71540	10/29/2018	1 telephone
2	18-71551	11/1/2018	1 telephone
3	18-71648	11/20/2018	1 telephone
4	19-90023	1/14/2019	3 telephones
5	19-70102	1/17/2019	2 telephones
6	19-70116	1/18/2019	1 telephone
7	19-70198	2/7/2019	2 telephones
8	19-70211	2/8/2019	1 telephone
9	19-90197	3/1/2019	1 telephone
10	19-70394	3/15/2019	1 telephone
11	19-70393	3/15/2019	1 telephone
12	19-70395	3/15/2019	1 telephone
13	19-70418	3/21/2019	2 telephones
14	19-70420	3/21/2019	1 telephone
15	19-70435	3/22/2019	1 telephone
16	19-70434	3/25/2019	1 telephone
17	19-70486	3/29/2019	1 telephone
18	19-70542	4/15/2019	1 telephone
19	19-70603	4/22/2019	1 telephone
20	19-70670	5/2/2019	1 telephone
21	19-70671	5/2/2019	1 telephone
22	19-70741	5/13/2019	2 telephones
23	19-70742	5/13/2019	1 telephone
24	19-70744	5/13/2019	1 telephone
25	19-70751	5/14/2019	1 telephone
26	19-70817	5/24/2019	1 telephone
27	19-70909	6/11/2019	2 telephones
28	19-70945	6/17/2019	1 telephone
	19-70958	6/19/2019	1 telephone
	19-70959	6/19/2019	1 telephone
	19-70960	6/19/2019	1 telephone
	19-90449	5/22/2019	7 telephones
	19-90497	6/4/2019	1 telephone

VEHICLE TRACKING WARRANT APPLICATIONS/ORDERS

Docket Number	Warrant/Order Date	Description
17-71672	12/18/2017	1 vehicle
18-71647	11/20/2018	1 vehicle
19-70121	1/23/2019	1 vehicle
19-70120	1/23/2019	1 vehicle
19-70141	1/29/2019	1 vehicle
19-70182	2/5/2019	1 vehicle

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1	19-70411	3/20/2019	1 vehicle
2	19-70416	3/21/2019	1 vehicle
3	19-70419	3/21/2019	1 vehicle
4	19-70422	3/21/2019	1 vehicle
5	19-70745	5/13/2019	1 vehicle
6	19-70750	5/14/2019	1 vehicle
7	19-70823	5/28/2019	1 vehicle
8	19-70824	5/28/2019	1 vehicle

PREMISES, VEHICLE, AND ELECTRONIC DEVICE SEARCH WARRANT
APPLICATIONS/ORDERS

9	Docket Number	Warrant/Order Date	Description
10	19-71143	7/26/2019	1 premises
11	19-71175	8/5/2019	1 premises
12	19-71176	8/5/2019	1 premises
13	19-71177	8/5/2019	1 mobile device
14	19-71178	8/5/2019	1 vehicle
15	19-71179	8/5/2019	1 premises
16	19-71181	8/5/2019	1 premises
17	19-71182	8/5/2019	1 premises
18	19-71182	8/5/2019	1 vehicle

POLE CAMERAS

19	Docket Number	Warrant/Order Date	Description
20	18-90330	4/9/2018	1 location
21	19-90062	1/26/2019	1 location